

House File 547 - Introduced

HOUSE FILE 547
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 133)

A BILL FOR

1 An Act relating to election recounts.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 50.48, subsection 4, paragraphs a and c,
2 Code 2011, are amended to read as follows:

3 a. When all members of the recount board have been selected,
4 the board shall undertake and complete the required recount as
5 expeditiously as reasonably possible. The commissioner or the
6 commissioner's designee shall supervise the handling of ballots
7 to ensure that the ballots are protected from alteration
8 or damage. The commissioner, the commissioner's permanent
9 employees, and the members of the recount board are the only
10 persons authorized to physically touch the ballots during the
11 recount. The board members shall open only the sealed ballot
12 containers from the precincts specified to be recounted in
13 the request or by the recount board. The board members shall
14 recount only the ballots which were voted and counted for the
15 office in question, including any disputed ballots returned as
16 required in section 50.5. If automatic tabulating equipment
17 was used to count the ballots, the recount board may request
18 the commissioner to retabulate the ballots using the automatic
19 tabulating equipment. The same program used for tabulating the
20 votes on election day shall be used at the recount unless the
21 program is believed or known to be flawed.

22 c. The ballots shall be resealed by the recount board
23 members before adjournment and shall be preserved as required
24 by section 50.12. At the conclusion of the recount, the
25 recount board shall make and file with the commissioner a
26 written report of its findings, which shall be signed by at
27 least two members of the recount board. The recount board
28 shall complete the recount and file its report not later than
29 the eighteenth day following the county board's canvass of the
30 election in question.

31 Sec. 2. Section 50.48, Code 2011, is amended by adding the
32 following new subsection:

33 NEW SUBSECTION. 8. The state commissioner shall adopt
34 rules pursuant to chapter 17A to create and implement uniform
35 recount procedures for recounts conducted under this section

1 and section 50.49.

2

EXPLANATION

3 This bill provides that the county commissioner of
4 elections, the commissioner's permanent employees, and the
5 members of a recount board are the only persons authorized
6 to physically touch the ballots during a recount. The bill
7 applies to recounts for public office or nomination to public
8 office and, by operation of law, to public measures.

9 The bill requires the state commissioner of elections to
10 adopt rules to create and implement uniform procedures for
11 recounts.